

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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MAR 1 10 2004
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Deputy Clerk

CAROLYN GREENE, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

vs.

BIOPURE CORPORATION, THOMAS A. MOORE,
CARL W. RAUSCH, and RONALD F. RICHARDS,

Defendants.

1:03-cv-12628 (NG)

RELATED ACTIONS:

1:04-cv-10046 (NG)

1:04-cv-10055 (NG)

1:04-cv-10065 (NG)

1:04-cv-10077 (NG)

1:04-cv-10078 (NG)

1:04-cv-10090 (NG)

1:04-cv-10144 (NG)

1:04-cv-10155 (NG)

1:04-cv-10179 (NG)

1:04-cv-10189 (NG)

1:04-cv-10190 (NG)

1:04-cv-10202 (NG)

JOHN G. ESPOSITO, JR., Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

vs.

BIOPURE CORPORATION, THOMAS A. MOORE,
CARL W. RAUSCH, and RONALD F. RICHARDS,

Defendants.

1:04-cv-10013 (NG)

JOSEPH L. KING, Individually and On Behalf of All
Others Similarly Situated,

Plaintiff,

vs.

BIOPURE CORPORATION, THOMAS A. MOORE,
CARL W. RAUSCH, and RONALD F. RICHARDS,

Defendants.

1:04-cv-10038 (NG)

**MOTION OF THE HOMEYER GROUP FOR CONSOLIDATION, APPOINTMENT OF
LEAD PLAINTIFF, AND APPROVAL OF LEAD PLAINTIFF'S SELECTION OF
CO-LEAD COUNSEL AND LIAISON COUNSEL**

William E. Homeyer, Jr., William Kim, Gernot Buerger, Thomas Echlin, and Richard M. Acuna (collectively, the "Homeyer Group" or "Movants"), by their counsel, hereby move this Court for an Order: (i) consolidating the above-captioned actions; (ii) appointing the Homeyer Group as Lead Plaintiff pursuant to the Private Securities Litigation Reform Act of 1995 (the "PSLRA"); and (iii) approving the Homeyer Group's selection of Milberg Weiss Bershad Hynes & Lerach LLP and Rabin, Murray & Frank LLP as Co-Lead Counsel, and Moulton & Gans, P.C. as Liaison Counsel of the actions, pursuant to the PSLRA. In support of this Motion, Movants submit herewith a Memorandum of Law, a Declaration, and a [Proposed] Order.

REQUEST FOR ORAL ARGUMENT

Movants respectfully request oral argument on this motion.

DATED: March 1, 2004
Boston, Massachusetts

Respectfully submitted:

MOULTON & GANS, P.C.

By: Nancy Freeman Gans (auth)
Nancy Freeman Gans, BBO #184540
33 Broad Street, Suite 1100
Boston, MA 02109-4216
Telephone: (617) 369-7979

Proposed Liaison Counsel

**MILBERG WEISS BERSHAD HYNES
& LERACH LLP**

Steven G. Schulman
Peter E. Seidman
Sharon M. Lee
One Pennsylvania Plaza
New York, NY 10119
(212) 594-5300

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail (by hand) on 3/1/04

Nancy Freeman Gans (auth)

RABIN MURRAY & FRANK LLP

Eric J. Belfi
275 Madison Avenue
New York, NY 10016
(212) 682-1818
(212) 682-1892

Proposed Co-Lead Counsel

**LAW OFFICES OF BRUCE G.
MURPHY**

Bruce G. Murphy
265 Llwyds Lane
Vero Beach, FL 32963
(772) 231-4202

Attorney for Plaintiff